



AF/3700

Utility Patent
Ser. No. 09/934,349

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Roy McGee)	Date:	January 30, 2003
)		
Serial No.: 09/934,349)	Group Art Unit:	3742
)		
Filed: 08/21/2001)	Examiner:	Joseph Moore Pelham
)		
Title: 12-Volt Heated Coffee Mug)		
)		

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TECHNOLOGY CENTER R3700

REQUEST FOR REINSTATEMENT OF APPEAL

Dear Sir:

In response to the communication from the Examiner dated 11/30/2002, applicant respectfully requests reinstatement of appeal pursuant to 37 C.F.R. 1.193(b)(2)(ii) and M.P.E.P. 1208.02.

REMARKS

This application was finally rejected on May 09, 2002. In the final office action dated May 09, 2002, the Examiner rejected Claims 1-4 under 35 U.S.C. 102(b) as being anticipated by Vaneslow and claims 5-6 under 35 U.S.C. 103 under the same reference in view of Gordon.

Gordon discloses an electrical heating unit formed of a flexible, non-woven fibrous material.

The resilient, rubbery heater appears designed to provide an continuous surface connection to a vessel to be heated, and not to the bottom of a cup to prevent it from sliding.

Further, the examiner provided Ford, U.S. Patent No. 6,403,928. Based upon the examiner's arguments, Ford itself should also be unpatentable over Vaneslow in view of Gordon.

In addition, Applicant restates the previous arguments on prosecution and appeal in their entirety.

Respectfully submitted,

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